

DOCKET NO. 9570-001-27



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: John J. PERELESS, et al.

ART UNIT: 3629

SERIAL NO.: 09/665,757

EXAMINER: OUELLETTE, J.

FILING DATE: September 20, 2000

FOR: METHOD AND SYSTEM FOR RESUME STORAGE AND RETRIEVAL

**DECLARATION OF WILBURN L. CHESSER UNDER 37 C.F.R. §1.48(a)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

I, Wilburn L. Chesser, declare as follows:

1. I am registered to practice before the U.S. Patent and Trademark Office and have a registration number of 41,668. I have been involved in the prosecution of the subject application and am familiar with the status of the subject application and the file pertaining thereto.

2. Based on information I have obtained from the assignee and available inventors, I have determined that John J. Pereless was incorrectly named as an inventor, as he did not contribute to the present invention as claimed. I have also determined that Sean Rodwell-Simon was incorrectly not named as an inventor, as he did contribute to the present invention as claimed. From the information provided, I have determined that this incorrect inventorship in the application as originally filed occurred without deceptive intent.

3. On behalf of the assignee of the above identified utility patent application, I have made diligent efforts to confirm correct inventorship with Mr. Pereless and to obtain the signature of Mr. Pereless on a Declaration to support a Petition under 37 C.F.R. §1.48(a) to correct inventorship in the above-identified application. On or about February 26, 2002, I transmitted by United States Express Mail, Return Receipt, to Mr. Pereless at his home address a

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letter indicating that I had determined that Mr. Pereless was incorrectly named an inventor and that such incorrect naming occurred without deceptive intent on the part of Mr. Pereless. In this letter, I requested that Mr. Pereless review a Declaration indicating these facts and that he sign and date the declaration. I received the return receipt for the letter to Mr. Pereless indicating receipt of the letter at his home address and signature of receipt by Mr. Pereless. (A copy of the letter of February 26, 2002, and a copy of the return receipt indicating receipt of the letter to Mr. Pereless at his home address and signature of receipt by Mr. Pereless are attached as Exhibits A and B). Also attached as Exhibit C is a copy of the Assignment executed by Mr. Pereless as to all rights Mr. Pereless could possibly have, and correctly named inventor Christopher N. McCrae.

4. The last known address of Mr. Pereless is: 2 Roebling Court, Leonardo, NJ 07737.
5. Mr. Pereless, at least by his actions, has refused to sign the attached Declaration and has not indicated any dispute as to the incorrectness of being named as an inventor as asserted to him in the letter mailed on February 26, 2002.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that the statements are made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

PIPER JAFFRAY LLP



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